

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:15-cr-00329-D-1
No. 5:20-cv-00388-D

DAMIEN NOWELL,)
Petitioner,) ORDER
v.)
UNITED STATES OF AMERICA,)
Respondent.)

This matter is before the Court on Respondent's motion to lift the stay regarding Petitioner's claim pursuant to United States v. Rehaif, 139 S. Ct. 2191 (2019) contained in his second § 2255 motion. For the reasons set forth in Respondent's motion, the motion to lift the stay is GRANTED.

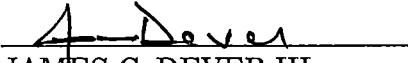
It is further ORDERED that

- (a) Respondent's response to Petitioner's Rehaif claim shall be due thirty (30) days after the filing of this Order;
- (b) If Respondent files a motion to dismiss, Petitioner's response, if any, shall be due within twenty-one (21) days of the filing of Respondent's motion to dismiss;

(c) Respondent's reply, if any, shall be due within fourteen (14) days after Petitioner's response.

The stay previously imposed is hereby lifted.

SO ORDERED, this the 15 day of September, 2021.


JAMES C. DEVER III
United States District Judge